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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION
10 Thomas Spilsbury, NO. C 09-05955 JW
11 Plaintiff,
12 v.
13 Target Corp., et al.,
14 Defendants.
15 _____ /
16 ORDER VACATING INTERIM CASE
17 MANAGEMENT CONFERENCE;
18 CONTINUING PRELIMINARY
19 PRETRIAL CONFERENCE; EXTENDING
20 DISCOVERY SCHEDULE

21 This case is set for a Preliminary Pretrial Conference and an Interim Case Management
22 Conference on March 21, 2011. Pursuant to the Federal Rules of Civil Procedure and Local Rules
23 of this Court, the parties conferred and duly submitted a Joint Case Management Statement and
24 Proposed Order. (See Docket Item No. 126.) In their Joint Statement, the parties contend that
25 extensive discovery disputes have delayed their readiness for trial. To this end, the parties have
26 various Motions for Administrative Relief regarding discovery matters presently pending before the
27 Court. (See Docket Item Nos. 101, 102, 121.) On March 15, 2011, the Court granted Plaintiff's
28 Motion for an Interim Case Management Conference, set for the same date as the parties' previously
scheduled Preliminary Pretrial Conference. (See Docket Item No. 130.)

Upon review of the parties' Joint Preliminary Pretrial Statement and the parties' various
Motions for Administrative Relief, the Court finds that a Preliminary Pretrial Conference is
premature at this time. In light of the parties on-going discovery disputes and discovery of new

1 evidence which both sides must respond to, the Court finds good cause to extend the discovery
2 deadline in this case for **sixty (60) days.**¹

3 Accordingly, the Court modifies the Scheduling Order as follows:

4 (1) The Court sets **May 13, 2011** as the new close of all discovery.

5 (2) The Court sets **July 11, 2011** as the last date for hearing dispositive motions.

6 The Court will set a new Preliminary Pretrial Conference in its Order addressing any
7 dispositive Motions.

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9 Dated: March 16, 2011


10 JAMES WARE
United States District Chief Judge

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26 ¹ In light of the Court's extension of the discovery schedule in this case, the Court DENIES
the parties' Motions for Administrative Relief as moot. (See Docket Item Nos. 101, 102, 121.) To
27 the extent there are further disputes regarding discovery matters, these disputes shall be properly
raised before Magistrate Judge Lloyd.

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Juliet MacMillin Lompa jmlompa@stonelawoffice.com
3 Timothy Dennis McMahon tmcmahon@cmalaw.net

4 **Dated: March 16, 2011**

Richard W. Wieking, Clerk

5 By: /s/ JW Chambers

6 Elizabeth Garcia
7 Courtroom Deputy